



MINUTES

COUNCIL
THURSDAY, 1 MARCH 2007
2.00 PM

PRESENT

Councillor G Taylor Chairman

Councillor Auger
Councillor Bisnauthsing
Councillor Bryant
Councillor Mrs Cartwright
Councillor Channell
Councillor Chivers
Councillor Conboy
Councillor Craft
Councillor Exton
Councillor Fines
Councillor Fisher
Councillor Mrs Gaffigan
Councillor Gibbins
Councillor Helyar
Councillor Hewerdine
Councillor Howard
Councillor F Hurst
Councillor J Hurst
Councillor Mrs Jalili
Councillor Joynson
Councillor Kerr
Councillor Lovelock M.B.E.
Councillor Martin-Mayhew

Councillor Moore
Councillor Mrs. Neal
Councillor O'Hare
Councillor Parkin
Councillor Pease
Councillor Mrs Percival
Councillor Radley
Councillor Mrs Radley
Councillor Sandall
Councillor Shorrocks
Councillor Mrs Smith
Councillor Smith
Councillor Stokes
Councillor M Taylor (Vice-Chairman)
Councillor Thompson
Councillor Turner
Councillor Webster
Councillor Wheat
Councillor A Williams
Councillor M Williams
Councillor Wood
Councillor Mrs Woods

OFFICERS

Chief Executive
Strategic Directors (BA, GP)
Corporate Head, Finance & Resources
Service Manager, Legal (Monitoring Officer)
Service Manager, Financial Services & Risk
Management
Democratic Support Officer

OFFICERS

Service Manager, Democracy
Service Manager, HR & Diversity
Scrutiny Officer
Democratic & Scrutiny Support Officer
Personal Assistant to Geoff Plummer

114. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs. Bosworth, Brailsford, Carpenter, Mrs. Kaberry-Brown, Kirkman, Nicholson, Steptoe and Mrs. Wheat.

115. DECLARATIONS OF INTEREST

No declarations were made.

116. MINUTES OF THE MEETING HELD ON 25TH JANUARY 2007.

The minutes of the meeting held on 25th January 2007 were signed as a correct record by the Chairman, subject to the following points being noted:

- Reference should be made to opposition over a motion over a Councillor who was not present to defend himself.

It was also noted that on future minutes, Strategic Directors should be identified in name, rather than by quantity.

117. COMMUNICATIONS (INCLUDING CHAIRMAN'S ENGAGEMENTS)

A list of the Chairman and Vice-Chairman's engagements had been circulated with the agenda.

Councillors Thompson and Hurst thanked members of the Council for their kind wishes during their respective periods of indisposition.

Councillor Williams thanked members who had supported the Chairman's concert. He was duly thanked by the Chairman for the work he had done facilitating the concert.

118. BUDGET 2007/2008 (POLICY FRAMEWORK PROPOSAL)

DECISION:

PART A

1. That a general fund budget requirement of £15.137 million for 2007/2008 (inclusive of special expenses)
2. To approve a 4.94% Council Tax increase (excluding special expenses and parish precepts) for 2007/2008 which equates to an average increase of 4.88% when including special expenses for comparative purposes.
3. To approve the revised revenue estimate for 2006/2007; original base estimate for 2007/2008; an indicative base estimate for 2008/2009 and 2009/2010 as detailed Appendix A page 1 (as re-issued to the meeting to take account of the Local Authority Business Growth Initiative (LABGI) funding awarded for 2006/7).
4. To approve increases for fees and charges for 2007/2008 in accordance with the fees and charges strategy and summarised in Report CHFR26 to Cabinet and provided in detail within the council's budget book.
5. To approve the following within the 2007/8 revenue estimates (in light of the revised balances as at 31st March 2007 following confirmation of LABGI funding on 27th February 2007):-
 - i. an estimate of £250,000 to support one off bids for "invest to save" which will be allocated according to the submitted business case, the proposed efficiency and CIPFA council's priorities.

- ii. an estimate for one off bids totalling £215,000 made up of one off bids as identified in paragraph 5.3 plus a contribution of £30,750 to Lincolnshire Police Authority to meet the cost of year two agreement towards the cost of the Police Community Support Officers
 - iii. a revenue contribution of £400,000 to capital programme to be applied to town centre development schemes in accordance with Category A priorities.
- 6. To approve the revised capital programme for 2006/2007 and programme for 2007/2008, 2009/2010, details Appendix A page 10 - 12
- 7. To authorise the capital programme funding proposals subject to an annual review of financial options by the Corporate Head of Finance and Resources, in consultation with the portfolio holder, during the preparation of the Statement of Accounts to optimise the use of the council's resources.
- 8. To approve the forecast balances of revenue and capital reserves contained at Appendix A page 2 as re-issued to the meeting to take account of LABGI
- 9. To approve the adoption of prudential indicators and limits for 2007/2008 to 2009/2010 contained within part A of Appendix B to this report.
- 10. To approve the treasury management strategy for 2007/2008 and the treasury prudential indicators contained within part B of Appendix B to this report.
- 11. To approve the investment strategy 2007/2008 contained in the treasury management strategy (part b of appendix b) and the detailed criteria included in annex B1 to appendix B of this report.

Housing Revenue Accounts (HRA)

- 12. To approve that dwelling rents are increased in accordance with government guidance. The average rent will increase by 4.1% (a maximum increase of 4.1% plus £2 for individual cases).
- 13. To approve an increase of 4.1% for garage rents and services charges.

PART B: COUNCIL TAX SETTING

- 1. That the following amounts be calculated by the Council for the year 2007/8 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 (as amended).
 - a) £69,976,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (2) (a) to (e) of the Act.
 - b) £53,804,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (3) (a) to (c) of the Act.
 - c) £16,172,000 being the amount by which the aggregate at a) above exceeds the aggregate at b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.

- d) £9,673,000 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed Non-Domestic Rates and Revenue Support Grant increased by the amount of the sum to be transferred from the Collection Fund to the General Fund.
- e) £146.48 being the amount at c) above less the amount at d) above, all divided by the Council's tax base of 44,366.3 as recorded in minute 74 of the cabinet meeting of 4 December 2006, in accordance Section 33(1) of the Act, as the basic amount of its Council Tax for the year 2007/2008.
- f) £1,580,000 being the aggregate amount of all special items referred to in Section 34(1) of the Act.
- g) £110.88 being the amount of e) above, less the result given by dividing the amount of f) above by the Council's tax base relating to special items as set on 4 December, 2006 calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for year for dwellings in those parts of its area to which no special item relates.
- h)

Part of the Council's area	<u>Band D equiv.</u>
Grantham	152.10
Stamford	163.26
Bourne	141.48
Deeping St James	147.96
Market Deeping	180.27
Allington	148.32
Ancaster	159.12
Aslackby & Laughton	134.55
Barholm & Stow	119.43
Barkston & Syston	131.67
Barrowby	152.46
Baston	130.77

Belton & Manthorpe	114.39
Billingborough	133.38
Boothby Pagnell	114.75
Braceborough & Wilsthorpe	129.69
Careby,Aunby & Holywell	116.73
Carlby	138.15
Carlton Scroop & Normanton	163.98
Castle Bytham	126.00
Caythorpe	141.30
Claypole	131.49
Colsterworth,Gunby & Stainby	142.65
Corby Glen	131.40
Denton	123.75
Dowsby	143.28
Dunsby	117.27
Edenham	135.45
Fenton	119.88
Folkingham	138.15
Foston	141.21
Fulbeck	134.10
Greatford	134.46
Great Gonerby	138.60
Great Ponton	149.40
Haconby	112.32
Harlaxton	145.71
Heydour	130.68
Horbling Hougham	113.40

	130.95
Hough-on-the-Hill	146.97
Ingoldsby	122.04
Irnham	115.20
Kirkby Underwood	122.76
Langtoft	147.24
Lenton, Keisby & Osgodby	113.76
Little Bytham	137.16
Little Ponton & Stroxton	122.04
Londonthorpe & Harrowby Without	121.23
Long Bennington	139.95
Marston	138.96
Morton	125.19
North Witham	125.10
Old Somerby	130.50
Pickworth	128.16
Pointon & Sempringham	143.28
Rippingale	152.91
Ropsley, Humby, Braceby & Sapperton	134.37
Sedgebrook	133.83
Skillington	145.80
South Witham	156.06
Stoke Rochford & Easton	134.37
Stubton	127.89
Swayfield	130.14
Swinstead	129.15
Tallington Thurlby	128.70

	119.52
Uffington	120.60
Welby	124.56
Westborough & Dry Doddington	117.45
West Deeping	134.01
Witham-on-the-Hill	135.99
Woolsthorpe	131.13
Wyville-cum-Hungerton	132.12

- h) being calculated by adding to the amount at (g) above the amounts of special item relating to dwellings in those parts of the Council's area, divided in each case by the individual tax bases as recorded in minute 74 in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which special item relates.
- i) The amounts on the attached schedule (Appendix A to Part B), being the amounts given by multiplying the amounts at g) above and h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in valuation Band 'D', calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.
- j) That it be noted that for the year 2007/8 Lincolnshire County Council has stated the following amounts as a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act, 1992, for each of the categories of dwellings shown below:-

Valuation Band

A £	B £	C £	D £	E £	F £	G £	H £
658.14	767.83	877.52	987.21	1,206.59	1,425.97	1,645.35	1,974.42

- k) That it be noted that for the year 2007/8 Lincolnshire Police Authority has stated the following amounts as a precept issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

Valuation Band

A £	B £	C £	D £	E £	F £	G £	H £
<i>87.72</i>	<i>102.34</i>	<i>116.96</i>	<i>131.58</i>	<i>160.82</i>	<i>190.06</i>	<i>219.30</i>	<i>263.16</i>

- l) That, having calculated the aggregate in each case of the amounts at i), j) and k) above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the amounts in Appendix 'B' of Part B as the levels of Council Tax for the year 2007/8 for the categories of dwellings shown in the Appendix.**

The Resources and Assets Portfolio Holder moved the recommendations as printed in Part A of report number CHFR35 by the Corporate Head of Finance and Resources, points a) to m) and the recommendations in part B a) to l) incorporating all precepting authority bids. In doing so he stated that all members had had the opportunity to participate in budget preparation through the gateway process undertaken by the Council's Development and Scrutiny Panels (DSPs). He also thanked the Financial Services team for the work they had done in formulating the budget. The low council tax base made budget preparation within government parameters challenging with some projects reliant on one-off Local Authority Business Growth Incentive (LABGI) funding. All useable reserves had been spent to ensure that the council was fit for purpose in future decades. This was seconded.

An alternative budget was proposed, seconded and copies circulated. This made provision for budgets to be allocated to ward councillors. Funds had been drawn from other service heads. The amended budget would support community based projects devolving spending to a lower level. The idea was in line with government initiatives included in the Local Government White Paper, the Sustainable Communities Bill and ideas being promoted by the Lyons Review

The Chief Executive reminded members of the Council that the Section 151 officer needed to examine proposals to consider their robustness and potential risks to the Council; to do this, an adjournment was necessary.

14:28-14:42 – The Chairman adjourned the meeting for the Section 151 Officer and Deputy to review the robustness and potential risks of the proposed budget alternative.

The Section 151 Officer stated that the alternative budget did not meet principle one of the Medium Term Financial Strategy (MTFS). £125,000 would be drawn from support services, which were fixed overheads including staff and property. These would need to be redistributed, making cuts necessary. Siphoning money from supplies and services could jeopardise the activity of the council and threaten other income streams. Monies earmarked from the Housing Revenue Account (HRA) could not be used as the HRA was a ring-fenced account. The Section 151 Officer could not support the proposal because she did not consider it to be robust and it exposed the council to significant risk.

Some Members commented that the principle behind the proposal was sound but were not able to support it because ideas were not presented earlier in the process. Those speaking against the amendment expressed concerns that the budget would be

unlawful. The proposition was put to the vote and lost.

An amendment to the proposed budget was moved and seconded. This involved the transfer of Bourne Corn Exchange to the Bourne Special Expense Area (SEA), that licensing and Building Control Services should break-even within three years and that a new service head should be added including a budget for rural issues. This motion was withdrawn, as the proposer was happy for the Council to consider these ideas over a period of time.

A further amendment was proposed and seconded to: "refer the Ward Budget idea to the relevant DSP". A recorded vote on the amendment was requested in accordance with Council Procedure Rule 16.4. This was supported by more than ten members.

The vote on the amendment was as follows.

FOR	AGAINST	ABSTAIN
Councillor Bisnauthsing	Councillor Auger	Councillor Sandall
Councillor Miss Channell	Councillor Brailsford	
Councillor Mrs Gaffigan	Councillor Mrs Cartwright	
Councillor Gibbins	Councillor Chivers	
Councillor Howard	Councillor Conboy	
Councillor F Hurst	Councillor Craft	
Councillor J Hurst	Councillor Exton	
Councillor Mrs Jalili	Councillor Fines	
Councillor Joynson	Councillor Fisher	
Councillor Kerr	Councillor Helyar	
Councillor O'Hare	Councillor Hewerdine	
Councillor Selby	Councillor Lovelock	
Councillor Shorrock	Councillor Martin-Mayhew	
Councillor Thompson	Councillor Moore	
Councillor A Williams	Councillor Mrs Neal	
Councillor M Williams	Councillor Parkin	
Councillor Wood	Councillor Pease	
Councillor Mrs Woods	Councillor Mrs Percival	
	Councillor Mrs Radley	
	Councillor N Radley	
	Councillor Smith	
	Councillor Mrs Smith	
	Councillor Stokes	
	Councillor G Taylor	
	Councillor M Taylor	
	Councillor Turner	
	Councillor Webster	
	Councillor Wheat	
18	28	1

The vote on the amendment was lost.

Members speaking in favour of the proposed budget emphasised the council's ambition to become a brilliant council against the increased expectations of members of the public. All members had the opportunity to participate in the preparation of spending plans. The downward trend in the level of reserves caused concern.

The Corporate Head of Finance and Resources presented a summary of report CHFR35 to the Council along with updated information on LABGI funding. She particularly emphasised risks to the council identified within the report and the section of the budget book on the level of fees and charges.

(15:42-16:01 – the meeting adjourned)

In accordance with Council Procedure Rule 14.10(d), it was moved and seconded that the question be now put. A vote was taken and the motion was carried.

The Resources and Assets Portfolio Holder was given the opportunity to sum up. He urged members to vote in favour of the budget. A vote was taken approving the budget and setting the level of council tax and precept for the district.

**119. LINCOLNSHIRE LOCAL AREA AGREEMENT
DECISION:**

The Council approves the Local Area Agreement and delegates authority to the Leader to be consulted about, and agree, any further changes necessary to secure sign-off of this Agreement from GOEM.

The Leader of the Council moved the recommendations in CEX367. This was seconded. Members were generally in favour of the document, although concern was expressed that Grantham would not be the geographic focus until the third year of the agreement and the interest of other parties would have waned. Members also emphasised potential dangers of pooling funds. South Kesteven would benefit from Lincolnshire-wide schemes prior to the third year focus on Grantham. The accountability of Local Strategic Partnerships (LSPs) was debated; regular updates would be provided to the relevant portfolio holder.

Reference was made to targets within the document; no action plan had been provided on how the targets would be achieved. Actions to tackle health inequality should include short-term arrangements and acute health. More should be done to promote energy sustainability and the reduction of the carbon footprint.

In summing up, the Leader stated that the preparation of the document had been based on compromise. Concerns over targets had been raised with Government Office for the East Midlands (GOEM), however no feedback on these had been received.

On being put to the vote, the proposal was carried.

**120. RECOMMENDATION FROM THE CONSTITUTION & ACCOUNTS COMMITTEE:
AMENDMENTS TO THE CONSTITUTION**

DECISION:

That Part 3, page 62, point 1 of the Constitution relating to the Appeals Panel be amended to read: “3 members of the Licensing Committee *or the Resources Development and Scrutiny Panel.*”

The Leader of the Council as Chairman of the Constitution and Accounts Committee moved the recommendation that the articles of the constitution related to the membership of the appeals panel be amended to read “3 members of the Licensing Committee *or the Resources Development and Scrutiny Panel.*” This was seconded and put to the vote. The proposal was carried.

121. FORMATION OF AN AUDIT & CORPORATE GOVERNANCE COMMITTEE

DECISION:

- 1) That a Governance and Audit Committee be established with the terms of reference contained in Appendix 1 to report CHFR034 and come into effect at the annual meeting of the Council 2007;**
- 2) That the Governance and Audit Committee be compromised of five members and be the subject to political balance with the Chairman retaining a casting vote. A quorum of the committee to be three members. An external individual to be co-opted to the committee with voting rights;**
- 3) Membership of the Committee will be subject to having the appropriate skills as set out in Appendix 2 to report CHFR034 and there will be a requirement for mandatory training of members of the Committee;**
- 4) That the role and function of the Constitution and Accounts Committee, as set out in article 10 of the Constitution be amended to delete points f) to j) and the name of the committee be changed to 'Constitution Committee'.**

An extract of the minutes from the meeting of the Constitution and Accounts Committee held on 26th February 2007 had been circulated. The Leader of the Council and Chairman of that Committee moved the recommendations, which were seconded.

Members debated the political balance aspect of the Committee. It was suggested that membership be based on skills sets rather than political group. While nomination rights to seats would be done according to the political balance of the Council, it was not mandatory for a party to nominate people from their own political group. Training for those appointed to the committee would be mandatory. The proposals were put to the vote and carried.

122. CORE TRAINING FOR ELECTED MEMBERS

DECISION:

- 1. That the Council agree to the proposed mandatory core training programme to underpin the essential competencies for all members who sit on any committee or the Cabinet;**
- 2. That the Council requires the core training programme to be offered 3 times in the year following an election, to enable all Cabinet and Committee members to attend;**
- 3. A record should be kept of all training events members attended and this information should be made available on the Council's website.**

The Portfolio Holder for Organisational Development and Housing Services moved:

"That the Council agree to the proposed mandatory core training programme to underpin the essential competencies for all members who sit on any committee or the Cabinet," and "That the Council requires the core training programme to be offered 3 times in the year following an election, to enable all Cabinet and Committee members to attend."

While speaking for the motion, she referred to the Council's aspiration to become a brilliant council. Training sessions would provide members with the knowledge necessary to fulfil their roles and updates on legislative developments. This was seconded.

An amendment was moved:

"A record should be kept of all training events members attended and this information should be made available on the Council's website".

The amendment was seconded. The Portfolio Holder for Organisational Development and Housing Services agreed to encompass the amendment in her motion.

The motion was put to the vote and carried.

123. APPOINTMENT OF RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER

DECISION:

That Duncan Kerr, the Chief Executive, is appointed as the Electoral Registration Officer in fulfilment of the requirement of Section 8 of the Representation of the People Act 1983 and the Returning Officer under the requirements of Section 41 of the Local Government Act 1972.

The Chief Executive advised members of the Council that his appointment as Returning Officer and Registration Officer needed to appear as a clear decision of the Council. The recommendation that he be so appointed was moved, seconded and put to the vote, which was carried.

124. REPRESENTATION OF THE PEOPLE ACT 1983: S.18 (AS AMENDED BY ELECTORAL ADMINISTRATION ACT 2006: S.16) - REVIEW OF POLLING PLACES

DECISION:

That approval be given to the use of the premises appended to report CEX370, for the purposes of polling places under S.16 of the Electoral Administration Act.

The Council had before them the report of the Returning Officer which sought the approval by Council of a number of changes made in the use of premises as polling stations for the May 2007 district and parish elections. It was the role of the Council to identify the polling places and the responsibility of the Returning Officer to specify polling stations.

The list of premises to be used as polling places was moved and seconded. Brief discussion followed on changes to some of the polling places. In his role as Returning Officer, the Chief Executive was mandated to carry out a full review of polling stations in 2007/8 to ensure that they were fully compliant with the Disability Discrimination Act 2005. Some members expressed concerns over the accessibility of some polling stations, those specified were within St. John's Ward, Grantham and Greenhill Ward, Grantham.

The proposed polling places were put to the vote and carried.

125. REPRESENTATION ON OUTSIDE BODIES: PRIMARY SCHOOL PROVISION REVIEW PANELS

DECISION:

To appoint Councillor John Kirkman as the District Council's representative on the County Council Primary School Provision Review Panels.

Based on his previous experience as a former County Councillor and school governor, Councillor John Kirkman was nominated. Councillor Fereshteh Hurst was also nominated based on her experience as a governor at a local school. Both nominations were seconded. On being put to the vote, Councillor Kirkman was appointed as the District Council's representative on the body.

126. QUESTIONS WITHOUT DISCUSSION.

Five questions had been submitted prior to the meeting. Verbatim details of the question, together with supplementary question and answer, are set out in the appendix to these minutes.

127. NOTICES OF MOTION GIVEN UNDER COUNCIL PROCEDURE RULE 12:-

- (1) by Councillor Mike Taylor**

DECISION:

This Council deplores the total disregard and disrespect the Minister for Communities and Local Government Yvette Cooper is showing, in failing to respond in any way to a legitimate request from this Council, which if implemented would be of great benefit to the rent paying residents of the district.

The motion was moved and seconded. The letter to the Minister for Communities and Local Government had been followed-up and a further copy had been sent, however, no response had been received. Reference was made to compliance with the council's own customer service standards; government offices had similar standards enumerating the deadline by which correspondence should be dealt with.

The accuracy of the letter's content was challenged and refuted. In summing up, Councillor Taylor emphasised that the motion was about money being taken from the residents of South Kesteven and being diverted to inner city areas. The motion was put to the vote and carried.

- 2) by Councillor Teri Bryant**

DECISION:

This council requests that the constitution and accounts committee debates and determines what steps can be taken on dealing with members who fail to fulfil their role as councillors as clearly envisaged by the remuneration panel. The committee are reminded to be cognisant of the allocation of seats. Extenuating circumstances for non attendance such as Cllr Moore's accident would be the prerogative of the Chairman of the Council.

The following motion had been submitted by Councillor Bryant:

This council requests that the constitution and accounts committee debates and determines what steps can be taken on dealing with members who fail to fulfil their role as councillors as clearly envisaged by the remuneration panel. To assist in the debate and provide some guidance to the committee the council recommends a minimum level of full attendance of 10 council run meetings a year before sanctions are imposed. The committee are reminded to be cognisant of the allocation of seats. Extenuating circumstances for non attendance such as Cllr Moore's accident would be the prerogative of the Chairman of the Council.

The motion had been submitted to counter the perceived disparity in reward and a member's commitment to their role. Members who attended very few meetings would receive the same remuneration as those with high attendance rates. The motion was seconded.

Members speaking against the motion challenged that the measure of a good councillor could be quantified through attendance at meetings alone. Ward members from rural areas felt that working with their local parish councillors was more rewarding. Concerns were also expressed over members who did attend meetings but did not engage in any debate. Opposition members often felt their role at meetings was limited because of pre-determination of issues.

The suggestion was made that attendance at meetings would improve if meetings were held at times that were more convenient for more members; this could also help encourage a wider range of people to stand for election as a local councillor. To this end, an amendment was moved that:

"The Engagement DSP should examine the issues of attendance at flexibility as part of their examination of the role and function of councillors in the 21st century."

The motion was seconded.

In accordance with Council Procedure rule 9, as the meeting was nearing being in progress for three hours, the majority of members present voted for the meeting to continue.

The motion would allow the role of councillors engaged in activities in addition to those of the district council to be considered.

An attraction for staff within the authority was the lack of evening meetings. The suggestion that holding meetings in the evening would improve the attendance of councillors was negated by low attendances at Local Forums.

Several members stated that they were in favour of some method to assess a councillor's effectiveness but the measure should not be based on attendance at meetings alone.

The mover of the original motion urged members to vote against the amendment. In submitting the motion he had spoken to a number of other councillors who suggested that attendance at meetings was the only conduit to provide a measure. The amended motion was voted upon and was lost.

Several members in favour of the general principle of the motion were concerned that the Constitution and Accounts Committee would not have the freedom to formulate their own set of recommendations. Councillor Bryant agreed to remove any recommendations to the Committee from his motion.

In summing up, Councillor Bryant reminded members that the full Council would be able to

consider all recommendations made by the Constitution and Accounts Committee. The amended motion was put to the vote and carried.

3) by Councillor Mrs Linda Neal, Leader of the Council

DECISION:

This Council condemns the pre-emptive action of the ULNHS Trust in withdrawing emergency general surgery from Grantham hospital without any prior consultation with the local community. This Council calls on the Trust to explain why a business plan has not been put into place to recruit new consultants and develop a service that could attract and receive the number of patients needed to make this service viable.

Bearing in mind the importance of these services to a town that has been granted “Growth Status”, this Council demands the immediate re-instatement of these services and their full continuation whilst an independent, appropriately qualified, agency undertakes a review of the situation and reports accordingly.

In moving the motion, the Leader said that there were questions that she felt needed to be answered. She suggested that instead of the withdrawal of services, steps should have been taken to ensure their viability. The motion was seconded.

Many members of the Council expressed their concerns over the cuts and recounted their own experiences. Several members also stated that they did not believe that County Hospital in Lincoln would have the capacity to cope with patients being transported from Grantham. Several speakers urged for participation in national campaigns and agencies to mutually bolster support.

A statement supplied by Lincolnshire NHS Primary Care Trust was circulated to all members of the Council.

On being put to the vote, the motion was carried; it received unanimous support.

4) by Councillor Mrs Linda Neal, Leader of the Council

DECISION:

This Council resolves to:-

- 1. Support the Sustainable Communities Bill which will devolve more power from Whitehall to Councils and communities by**
 - Giving councils more power over money spent by national agencies on local matters in their areas; and**
 - Giving councils and their communities the power to drive government policy to assist them in promoting sustainable communities**
- And thereby help councils to protect the wellbeing of their communities and citizens**
- 2. Note that the Bill is promoted in Parliament by a cross party group of MPs led by Nick Hurd MP, David Drew MP, and Julia Goldsworthy MP and is supported by 363 MPs, well over half the House of Commons**
- 3. Write to the Secretary of State for Communities and Local Government urging**

her to support the Bill and to inform the leading MPs of this decision.

The Leader moved the motion. The Sustainable Communities Bill embraced the concept of devolution and was based on the premise that decisions made at a local level would best address the needs of local people. The Bill would address problems including community decline including the loss of key services, and the lack of a coherent strategy and resources to address any decline. The motion was seconded. On being put to the vote this motion was carried with unanimous support.

5) by Councillor Stephen O'Hare

DECISION:

To not support Councillor O'Hare's motion.

Councillor O'Hare submitted and moved the following motion:

That this Council has no confidence in councillors Neal, Bryant, and Cartwright as members of the executive Cabinet being respectively the Leader of the Council, the portfolio holder for Finances and portfolio holder for Housing. This is due to their continued failure, individually and jointly, over a period of at least one and a half years between May 2005 and 15th November 2006. The failure was to take any constructive action to protect the council housing stock of SKDC, being the single greatest financial asset of this Council. Specifically, their failure to tackle the issue of the "loss" to the Housing Revenue Account of this council of over £4 million every single year which started from the 1st April 2004 and still continues.

In speaking to the motion, the appointment of the Cabinet by the Leader was emphasised. He was concerned that the named Cabinet members had not taken action to address the loss of money to the government until the ballot to transfer the housing stock had failed. The motion was seconded.

Those speaking against the motion reminded members of the Council that all literature produced by the Council on Large Scale Voluntary Transfer (LSVT) had been checked for accuracy and neutrality by independent parties; literature prepared by those opposed to LSVT had not.

In accordance with Part 4, article 14.10(a) of the Council's Constitution it was proposed and seconded that the motion be withdrawn.

Members debated the propriety of withdrawing another member's motion. Many felt that while this was an accurate interpretation of the Constitution, it was deemed to be against the spirit of the document. The motion to withdraw was withdrawn.

An amendment was moved and seconded that:

That this Council has no confidence in Councillor O'Hare due to his continued failure, over a period over the last one and a half years between May 2005 and 15th November 2006. His failure was to take any constructive action to protect the council housing stock of SKDC, being the single greatest financial asset of this Council. Specifically, their failure to tackle the issue of the "loss" to the Housing Revenue Account of this council of over £4 million every single year which started on the 1st April 2004 and still continues.

Councillor O'Hare defended his position and challenged Cabinet members, who were paid decision-makers of the Council. In summing up, he suggested that the amendment had not

been corroborated when moved.

The amendment was withdrawn and a vote on the original motion was taken.

A recorded vote on the motion was requested in accordance with Council Procedure Rule 16.4. This was supported by more than ten members.

The vote on the motion was as follows.

FOR	AGAINST	ABSTAIN
Councillor Bisnauthsing	Councillor Auger	Councillor Miss Channell
Councillor F Hurst	Councillor Bryant	Councillor Hewerdine
Councillor J Hurst	Councillor Mrs Cartwright	Councillor A Williams
Councillor Joynson	Councillor Exton	
Councillor O'Hare	Councillor Fines	
Councillor Wood	Councillor Fisher	
	Councillor Helyar	
	Councillor Moore	
	Councillor Mrs Neal	
	Councillor Parkin	
	Councillor Pease	
	Councillor Radley	
	Councillor Smith	
	Councillor Mrs Smith	
	Councillor Stokes	
	Councillor G Taylor	
	Councillor M Taylor	
	Councillor Thompson	
	Councillor Turner	
	Councillor Webster	
	Councillor M Williams	
6	20	3

The motion was defeated.

6) by Councillor Stephen O'Hare

DECISION:

To not support Councillor O'Hare's motion.

Councillor O'Hare submitted the following motion:

That this Council lacks confidence in Councillors Auger, Carpenter and John Smith as members of the executive Cabinet. This is due to their continued joint failure, over a period of nearly one and a half years between May 2005 and 15th November 2006. the failure was to take constructive action to protect the council housing stock of SKDC, being the single greatest financial asset of this Council. Specifically, their failure to ensure that their other Cabinet Colleagues with more specific responsibilities for this issue tackled the issue of the "loss" to the Housing Revenue Account of this Council of over £4 million every single year which started from 1st April 2004 and still continues.

Speaking for the motion, the mover stated that the motion differed from his first motion

because the Cabinet members lacked direct responsibility within the LSVT process. The motion was seconded.

Speaking against the motion, the following comment was made: paperwork generated throughout the LSVT process shows that Cabinet members took steps to mitigate costs to the Council.

In accordance with Part 4, 14.10(d), it was moved and seconded that “the question be now put”. The proposition was passed and the motion duly voted upon and lost.

128. MEETING CLOSURE

There being no further business, the Chairman closed the meeting at 18:39.

COUNCIL 1 MARCH 2007

QUESTIONS WITHOUT DISCUSSION

QUESTION: COUNCILLOR MIKE TAYLOR

Will the Leader confirm that should the PCT decide to close Grantham A&E Department, then sufficient funds will be available to enable a Judicial Review to take place?

REPLY: COUNCILLOR MRS. LINDA NEAL

Thank you Mr. Chairman. I welcome the opportunity Councillor Taylor has actually given me to respond to this question Mr. Chairman. There was no written response circulated because I was hoping to receive a response from the Leader of the County Council but in response to the questions as posed, my answer, Mr. Chairman, is my understanding following a conversation with the Leader of the County Council is this will be the case. I had hoped to have written confirmation for today but this is not yet to hand.

SUPPLEMENTARY QUESTION: COUNCILLOR MIKE TAYLOR

In line with the answer Mrs. Neal has given us, will she make representation to County should it become necessary the PCT do decide to close the A&E and it's proven that a family lose a member of their family through lack of mainstream services, would she approach the Leader to asking for funds to enable the family to sue the health authority.

REPLY: COUNCILLOR MRS. LINDA NEAL

I think that we would probably support the family as much as we could Councillor Taylor, but I don't think it's my prerogative to decide. There would need to be substantial evidence to support the view that you held but certainly if I thought there was something we could assist with I would speak to the Leader of the County Council

QUESTION 1

QUESTION: COUNCILLOR ROB SHORROCK

As the nominated children's champion for SKDC, do you think it is acceptable for the council or any other body to put up signs that bar children merely on the grounds of age from playing in public areas?

REPLY: COUNCILLOR TERL BRYANT

Yes and no.

SUPPLEMENTARY QUESTION: COUNCILLOR ROB SHORROCK

Thank you Mr. Chairman. I'm slightly disappointed with the contempt that the Portfolio Holder actually shows to this process. This is a legitimate process of scrutiny to get hold of the information and to find out what is happening so I put the question to him again, which is: when do you think it is appropriate to put up signs that discriminate against children in public areas and when do you not think it is appropriate to put up signs, tell us.

REPLY: COUNCILLOR TERL BRYANT

Thank you Mr. Chairman, I welcome the question as now put but I just want to point out I am not the nominated Children's Champion, I am the appointed Children's Champion. Councillor Shorrock, the reason I wrote that answer was because I hadn't got the bit of paper that I now have in my hand, which is this, at the time I wrote it. I am unaware what your employment background is so I took the trouble to look up the play equipment that SKDC use and I read from our suppliers, this is roundabouts, swings, everything that we use and here it says "Crazy Twisters" a huge spinning sensation for 8 to 14 year olds, "Springies", some real cool new designs for six to 12 year olds, further taking advice from Ms. Helen England who is our risk monitor to say as we are seeking out advice on the equipment that is the advice we must make which precludes action. That is why you got the answer, yes it is appropriate to put age limits on when it is appropriate for the safety of the public and the using it.

QUESTION 3

QUESTION: COUNCILLOR STEPHEN O'HARE

When this Council wants central government to change a National Scheme does she really believe this Council stands a better chance of bringing about change by joining forces with other Councils to lobby through a national body, such as the Local Government Association representing hundreds of councils, or by ignoring the far greater political negotiating strength which the Local Government Association has with central government and trying to achieve change as a single council?

REPLY: COUNCILLOR MRS. LINDA NEAL

Thank you Mr. Chairman. My response to Councillor [O'Hare] is that it depends on the scheme as to what might be appropriate.

SUPPLEMENTARY QUESTION: COUNCILLOR STEPHEN O'HARE

Is there any chance Councillor Neal might provide a more succinct and direct answer to the question that was asked.

REPLY: COUNCILLOR MRS. LINDA NEAL

That was succinct and there could well be Mr. Chairman.

QUESTION 4

QUESTION: COUNCILLOR STEPHEN O'HARE

When writing to Yvette Cooper at the Department for Communities and Local Government on the 11th December 2006, what detailed and specific proposals (as distinct from simply setting out a wish list) did she invite central government to make to the National Scheme(s) for housing finance?

REPLY: COUNCILLOR MRS. LINDA NEAL

That's a very good question that's been posed. What have you done about it Councillor O'Hare?

SUPPLEMENTARY QUESTION: COUNCILLOR STEPHEN O'HARE

Can I perhaps ask Councillor Neal a simpler question: is today Thursday?

REPLY: COUNCILLOR MRS. LINDA NEAL

I believe it is Mr. Chairman.

QUESTION 5

QUESTION: COUNCILLOR ROB SHORROCK

Do you think that the of option of taxi vouchers is an absolute entitlement for eligible citizens in the district or should there be some form of criteria for how they are used?

In accordance with Part 4, Section 10.9 (Written Answers) of the Council's Constitution, Councillor Shorrock requested that Councillor Carpenter supply him with a written answer to his question.